



PATENT

ATTORNEY DOCKET NO.: 046124-5114

RCE/3641
#

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Masatoshi FUJIMOTO et al.

Application No.: 10/076,273

Filed: February 19, 2002

For: RADIOISOTOPE GENERATING
APPARATUS

Group Art Unit: 3641

Examiner: J. Richardson

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Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop RCE
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

Previously submitted:

Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).

Please consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.

Enclosed:

Supplemental Reply

Declaration Under 37 C.F.R. § 1.132

Information Disclosure Statement

PTO Form 1449 (with 21 references attached)

Other: Response and Request for Reconsideration Filed with RCE under 37 C.F.R. §1.114

01/02/2004 HVUONG1 00000095 500310 10076273

01 FC:1801 770.00 DA
02 FC:1252 420.00 DA

2. Miscellaneous

Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

Other: _____.

3. Fees Calculation

(a) RCE Fee required under 37 C.F.R. § 1.17(e)

\$770.00

\$385.00 (for small entity)

(b) Additional Claims

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	2	minus	20	0	x \$18 each =	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	1	minus	3	0	x \$84 each =	+ \$0.00
[] First presentation of Multiple dependent claim(s)					\$280.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

(c) Extension of Time

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

Total Months <u>Requested</u>	Fee for <u>Extension</u>	Fee for Small Entity
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input checked="" type="checkbox"/> two months	\$ 420.00	\$210.00
<input type="checkbox"/> three months	\$ 950.00	\$475.00
<input type="checkbox"/> four months	\$1,480.00	\$740.00

Because a Notice of Appeal was filed on September 5, 2003 in this application, a two-month extension is required to extend the period for response to January 5, 2004. If an additional extension of time is required, please consider this a Petition therefor.

4. Additional Papers Enclosed:

Verified Translation of Japanese Patent Application No. 234169/1999

5. Fee Payment

Enclosed is a check in the amount of \$_____.

The Commissioner is hereby authorized to charge the Deposit Account No. 50-0310 in the amount of \$1,190.00 representing \$770.00 for the RCE filing fee and \$420.00 for the two-month extension of time fee.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN LEWIS & BOCKIUS LLP

Dated: December 31, 2003

By:



Paul A. Fournier
Reg. No. 41,023

Customer No. 009629

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